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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/530,148	04/01/2005	Ernst Faber	FABER, S-10 PCT	2875

25889 7590 10/31/2007

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EXAMINER	
CULLER, JILL E	

ART UNIT	PAPER NUMBER
2854	

MAIL DATE	DELIVERY MODE
10/31/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No.	Applicant(s)	
	10/530,148	FABER, ERNST	
	Examiner	Art Unit	
	Jill E. Culler	2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 August 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19,21-30 and 32-36* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9,11-19,21-29 and 32-36* is/are rejected.

7)☒ Claim(s) *10 and 30* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *01 April 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1, 4-9, 11-12, 14-18, 21, 24-29, 32-33 and 35-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,809,886 to Faber in view of U.S. Patent No. 2,222,333 to Wenzel et al. and U.S. Patent No. 1,512,085 to Clary.

With respect to claim 1, Faber teaches a self-inking hand stamp, 1, with a turning mechanism comprising a stamp plate carrier, 2, and a stamp plate, 3, made from elastic material, and a plurality of releasable stamp characters, 3. See column 5, lines 21-39 and lines 64-67, column 6, lines 53-65 and Figs. 1-2.

Faber does not teach the stamp plate is adapted to receive letters or stamp characters respectively, a plurality of engaging parts on said stamp plate carrier for engaging with said stamp plate, or a plurality of engaging parts on said stamp plate wherein there is at least one engaging part for a releasable interconnection thereof with said stamp plate carrier, and at least one engaging part for releasable interconnection with said plurality of stamp characters, respectively wherein said plurality of engaging parts are formed by a plurality of grooves forming a corresponding plurality of web structures.

Wenzel et al. teaches a hand stamp, see page 2, column 2, lines 74-75, comprising a stamp plate carrier, 10, and a stamp plate, 18, made from elastic material, a plurality of engaging parts, 12, on said stamp plate carrier for engaging with said stamp plate, a plurality of engaging parts, 20, on said stamp plate wherein there is at least one engaging part for a releasable interconnection thereof with said stamp plate character, wherein said plurality of engaging parts are formed by a plurality of grooves forming a corresponding plurality of web structures. See page 1, column 1, line 42 - column 2, line 45 and Fig. 1.

Clary teaches a hand stamp having a stamp plate carrier, A, and a stamp plate, E, which is adapted to receive stamp characters, F, and has at least one engaging part, 52, 53, for a releasable interconnection with said stamp characters. See page 2, lines 70-103 and Fig. 1 in particular,

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the stamp plate of Faber to have a plurality of engaging parts, as taught by Wenzel et al. to releasably receive a plurality of stamp characters, as taught by Clary, in order to be able to change the stamp characters more easily.

With respect to claim 21, Faber teaches a stamp plate, 3, for a self-inking hand stamp, 1, with a turning mechanism which can be connected to a stamp plate carrier, 2, and a plurality of releasable stamp characters, 3, wherein said stamp plate is made from elastic material. See column 5, lines 21-39 and lines 64-67, column 6, lines 53-65 and Figs. 1-2.

Faber does not teach the stamp plate comprising a plurality of engaging parts with a first set of parts for a releasable interconnection with the stamp plate carrier of the hand stamp, and a second set of engaging parts for releasable interconnection with a plurality of stamp characters, wherein said plurality of engaging parts are formed by a multiple groove/web structure.

Wenzel et al. teaches a stamp plate, 18, for a hand stamp, see page 2, column 2, lines 74-75, which can be connected to a stamp plate carrier, the stamp plate comprising a plurality of engaging parts, 20, with a first set of parts for a releasable interconnection with a stamp plate carrier of the hand stamp, wherein the plurality of engaging parts are formed by a multiple groove/web structure. See page 1, column 1, line 42 - column 2, line 45 and Fig. 1.

Clary teaches a hand stamp having a stamp plate carrier, A, and a stamp plate, E, which is adapted to receive stamp characters, F, and has a set of engaging parts, 52, 53, for a releasable interconnection with said stamp characters. See page 2, lines 70-103 and Fig. 1 in particular,

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the stamp plate of Faber to have a first plurality of engaging parts to releasably interconnect with a stamp plate carrier, as taught by Wenzel et al., and a second plurality of engaging parts to releasably receive stamp characters, as taught by Clary, in order to be able to change the stamp characters more easily.

With respect to claims 4-9 and 24-29, Faber does not teach teaches groove/web structures wherein the grooves and the webs have cross-sections engaging one behind

the other, trapezoidal cross-sections for providing a snap fit of said engaging parts on said stamp plate with said engaging parts on said stamp plate carrier, or groove/web structures arranged on the entire surface of the carrier or of the stamp plate respectively with grooves parallel to each other and webs correspondingly parallel to each other wherein the grooves and webs are equally high and wide.

Wenzel et al. teaches groove/web structures wherein the grooves and the webs have cross-sections engaging one behind the other, the grooves and webs have trapezoidal cross-sections for providing a snap fit of said engaging parts on said stamp plate with said engaging parts on said stamp plate carrier, and the groove/web structures are arranged on the entire surface of the carrier or of the stamp plate respectively and they have grooves parallel to each other and webs correspondingly parallel to each other, wherein the grooves and webs are equally high and wide. See the Figures.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the stamp plate of Faber to have the particulars of the groove and web structures as taught by Wenzel et al., in order to provide better engagement between the engaging parts on the stamp plate carrier, stamp plate, and stamp characters.

With respect to claims 11-12, Faber teaches the stamp plate carrier is made of a dimensionally stable plastic material. See column 2, lines 53-56.

With respect to claims 14, 17 and 32, Faber teaches a stamp plate made of caoutchouc. See column 2, lines 44-52.

With respect to claims 15 and 33, Faber does not teach receiving means for stamp characters, respectively, formed on the side of the stamp plate that faces away from the groove/web structures.

Clary teaches a hand stamp with for receiving means for stamp characters, respectively, formed on the side of the stamp plate that faces away from the groove/web structures. See page 2, lines 70-103 and Fig. 1 in particular,

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the invention of Faber to have receiving means, as taught by Clary in order to be able to more easily change what is printed with the stamp.

With respect to claim 16, Faber teaches that said plurality of stamp characters are made of an elastic material. See column 6, lines 53-65.

With respect to claim 18, Faber does not teach that several stamp characters are interconnected.

Wenzel et al. teaches that several stamp characters are interconnected. See page 2, column 1, lines 16-23 and Fig. 8.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the invention of Faber to have interconnected stamp characters, as taught by Wenzel et al. in order to be able to more easily move several stamp characters at the same time.

With respect to claims 35-36, Faber does not teach that said stamp plate comprises two faces, with a first face having engaging parts for a releasable

interconnection with the stamp plate carrier and an opposite face having engaging parts for a releasable interconnection with said stamp characters.

Clary teaches a hand stamp having a stamp plate carrier, A, and a stamp plate, E, which is adapted to receive stamp characters, F, and has two faces with a first face having engaging parts for a releasable interconnection with the stamp plate carrier and an opposite face having engaging parts, 52, 53, for a releasable interconnection with said stamp characters. See page 2, lines 70-103 and Fig. 1 in particular,

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the stamp plate of Faber to have the two faces and engaging parts, as taught by Clary, in order to be able to change the stamp characters more easily.

3. Claims 2-3 and 22-23 rejected under 35 U.S.C. 103(a) as being unpatentable over Faber in view of Wenzel et al. and Clary, as applied to claims 1, 4-9, 11-12, 14-18, 21, 24-29, 32-33 and 35-36 above, and further in view of U.S. Patent No. 3,442,309 to Funahashi.

With respect to claims 2-3 and 22-23, Faber, Wenzel et al. and Clary teach all that is claimed, as in the above rejection of claims 1, 4-9, 11-12, 14-18, 21, 24-29, 32-33 and 35-36, except that the groove/web structures have rectangular or square cross-sections.

Funahashi et al. teaches a hand stamp having interconnecting groove/web structures having rectangular and square cross-sections. See Figures.

It would have been obvious to one having ordinary skill in the art at the time of the invention to further modify the invention of Faber to have square cross-sections, as taught by Funahashi et al., in order to be able to produce the parts more readily with more easily machined shapes.

4. Claims 19 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Faber in view of Wenzel et al. and Clary, as applied to claims 1, 4-9, 11-12, 14-18, 21, 24-29, 32-33 and 35-36 above, and further in view of U.S. Patent No. 6,360,658 to Benson.

Faber, Wenzel et al. and Clary teach all that is claimed, as in the above rejection of claims 1, 4-9, 11-12, 14-18, 21, 24-29, 32-33 and 35-36 except that the receiving means have rounded undercuts.

Benson teaches a hand stamp having stamp plate receiving means with rounded undercuts. See Fig 2.

It would have been obvious to one having ordinary skill in the art at the time of the invention to further modify the hand stamp of Faber to have the rounded undercuts of Benson in order to accommodate stamp plates having shapes more appropriate to these receiving means.

Allowable Subject Matter

5. Claims 10 and 30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

With respect to claims 10 and 30, the prior art does not teach or render obvious a hand stamp as claimed, particularly including transverse grooves traversing the grooves and corresponding transverse webs.

Response to Arguments

6. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jill E. Culler whose telephone number is (571) 272-2159. The examiner can normally be reached on M-F 10:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

jec

Jill E. Culler
Primary Examiner